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\* Admitted in TX only  
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May 25, 2004

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/601254  
For: *METHOD AND APPARATUS FOR OPTICAL SAMPLING TO  
REDUCE INTERFERING VARIANCES*  
Inventor: Block, Myron J.  
Filed: June 19, 2003  
Our Ref. No.: ORR-143

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB-08;
3. Copies of references cited in PTO Form SB-08 (11); and
4. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

*25 May 2004*

Date

*Ralph A. Loren*

Ralph A. Loren, Reg. No. 29,325

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

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Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Block, Myron J.

Serial No.: 10/601254

Filed: June 19, 2003

For: *METHOD AND APPARATUS FOR OPTICAL  
SAMPLING TO REDUCE INTERFERING  
VARIANCES*

Attorney Docket No.: ORR-143

Group Art Unit: 2878

Examiner: Not Yet Assigned


MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

25 May 2004  
Date of Signature and of Mail Deposit

By:

  
Ralph A. Loren  
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant and his Attorney are aware of the following publications and information, listed on the attached PTO Form SB-08, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. A copy of each cited publication is enclosed.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover,

Applicant understands that the Examiner will make an independent evaluation of the cited publications.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP



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Enclosures

PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/601254
				Filing Date	June 19, 2003
				First Named Inventor	Block, Myron J.
				Art Unit	2878
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	ORR-143

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	4,655,225	04-07-1987	Dähne <i>et al.</i>	
	A2	5,321,265	06-14-1994	Block	
	A3	5,424,545	06-13-1995	Block <i>et al.</i>	
	A4	5,434,412	07-18-1995	Sodickson <i>et al.</i>	
	A5	5,672,875	09-30-1997	Block <i>et al.</i>	
	A6	5,818,044	10-06-1998	Sodickson <i>et al.</i>	
	A7	5,818,048	10-06-1998	Sodickson <i>et al.</i>	
	A8	6,028,311	02-22-2000	Sodickson <i>et al.</i>	
	A9	6,411,832 B1	06-25-2002	Guthermann	
	A10	6,420,709 B1	07-16-2002	Block <i>et al.</i>	
	A11	6,442,411 B1	08-27-2002	Guthermann	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
Examiner Signature		Date Considered	

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